

APPLICATION FOR A CONDITIONAL USE PERMIT

CITY OF HIGH POINT, NORTH CAROLINA

November 5, 2007
(Adopted)

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

The undersigned hereby respectfully request that the High Point City Council, pursuant to Title 9, Chapter 3 of the City Code, grant a Conditional Use Permit for the following use(s), subject to the following conditions:

- I. USES: Any of the land uses allowed in the Residential Single Family-7 (RS-7) District shall be permitted, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions of this Permit.
- II. CONDITIONS:
 - A. Development, Dimensional & Density Standards:
 1. The site shall be limited to a maximum of 150 dwelling units.
 2. Any lot with frontage along Delray Avenue (current or proposed realignment) shall meet RS-9 District standards.
 - B. Lot Combination: All parcels of the rezoning site shall be combined into one (1) lot prior to resubdivision or development.
 - C. Sketch Plan: Development of the zoning site shall be in general conformance with the attached Sketch Plan (Exhibit A) as allowed by Section 9-3-13(a)(1) of the Development Ordinance. The purpose of this Sketch Plan is to illustrate those environmentally sensitive areas of the site to be preserved in its current natural state, areas to be preserved as open space/common area and areas to be preserved for recreational purposes.
 - D. Fencing, Wall or Similar Barriers: In the event fences, walls or similar barriers are erected along the common areas abutting the N. Main Street right-of-way; or the rear/side yards of lots within the vicinity of the N. Main Street right-of-way, then a common fencing, wall or similar barrier plan shall be provided. This plan shall be provided prior to Preliminary Plat approval on the rezoning site.

E. Landscaping:

1. A minimum twenty (20) foot wide street yard planted at a Type C rate shall be provided along the N. Main Street frontage of the zoning site.
2. A passive or active recreational area shall be provided near the common area adjacent to N. Main Street.

F. Transportation:

1. Access:

- a. The rezoning site shall be limited to one point of access to N. Main Street. Subject to North Carolina Department of Transportation (NCDOT) approval, this access point shall consist of realigning Delray Drive to intersect N. Main Street opposite Cedarwood Trail. The realignment of Delray Avenue shall be completed as part of the first phase of development of the rezoning site.
- b. No lot shall have direct access to N. Main Street.
- c. The developer shall provide two public street right-of-way stubs to the sites southern boundary.

2. Turn Lanes:

- a. The property owner shall provide westbound right turn lane at the intersection of N. Main Street and Delray Avenue/Cedarwood Trail.

3. Improvements:

- a. The property owner shall connect to Monterey Circle and shall improve Monterey Circle from the western property boundary of the zoning site to Delray Avenue, to minimum NCDOT standards
- b. The property owner shall connect to Beechnut Drive and shall improved Beechnut Drive from the northern property boundary of the rezoning site to Monterey Drive, to minimum NCDOT standards.
- c. If access is taken in the future through the unimproved right-of-way of Thomas Road, then the property owner shall improve Thomas Road from the western property line to Delray Avenue and improve Beechnut Drive from Monterey Circle to Thomas Road.

4. The City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all transportation construction and improvements.

DESCRIPTION OF PROPERTY: Approximately 58.4 acres lying north and northeast of the intersection of N. Main Street and Cedarwood Trail. This intersection is approximately 730 feet east of the intersection of N. Main Street and Horneytown Road. The site is also known as

Forsyth County Tax Parcel Map # 684826-Block #5612-A – Lots#1A, 1B, 2A, 2B, -2F, 3C, 4, 5A, 6A, 7, and 19 thru 22.

An application has been duly filed requesting that the property involved in this application be rezoned from the Residential Single Family-20 (RS-20) District, within Forsyth County's zoning jurisdiction, to a Conditional Use Residential Single Family-7 (CU RS-7) District. It is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property described in this request will be perpetually bound by the use(s) authorized and the conditions imposed, unless subsequently changed or amended as provided for in Title 9, Chapter 3, of the City Code.

It is further understood and acknowledged that plans for any development to be made pursuant to any such Conditional Use Permit so authorized shall be submitted to the Technical Review Committee and/or other such approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.


William B. Scantlin

4024 N. Main Street
High Point, NC 27265


Catherine E. Scantlin

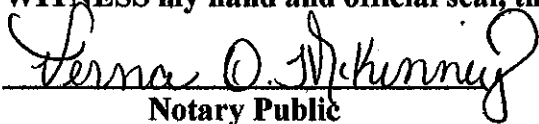
4024 N. Main Street
High Point, NC 27265

NC
(STATE)

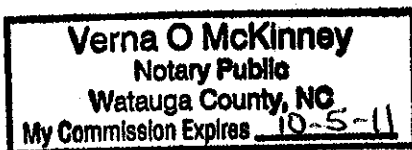
Watauga
(COUNTY)

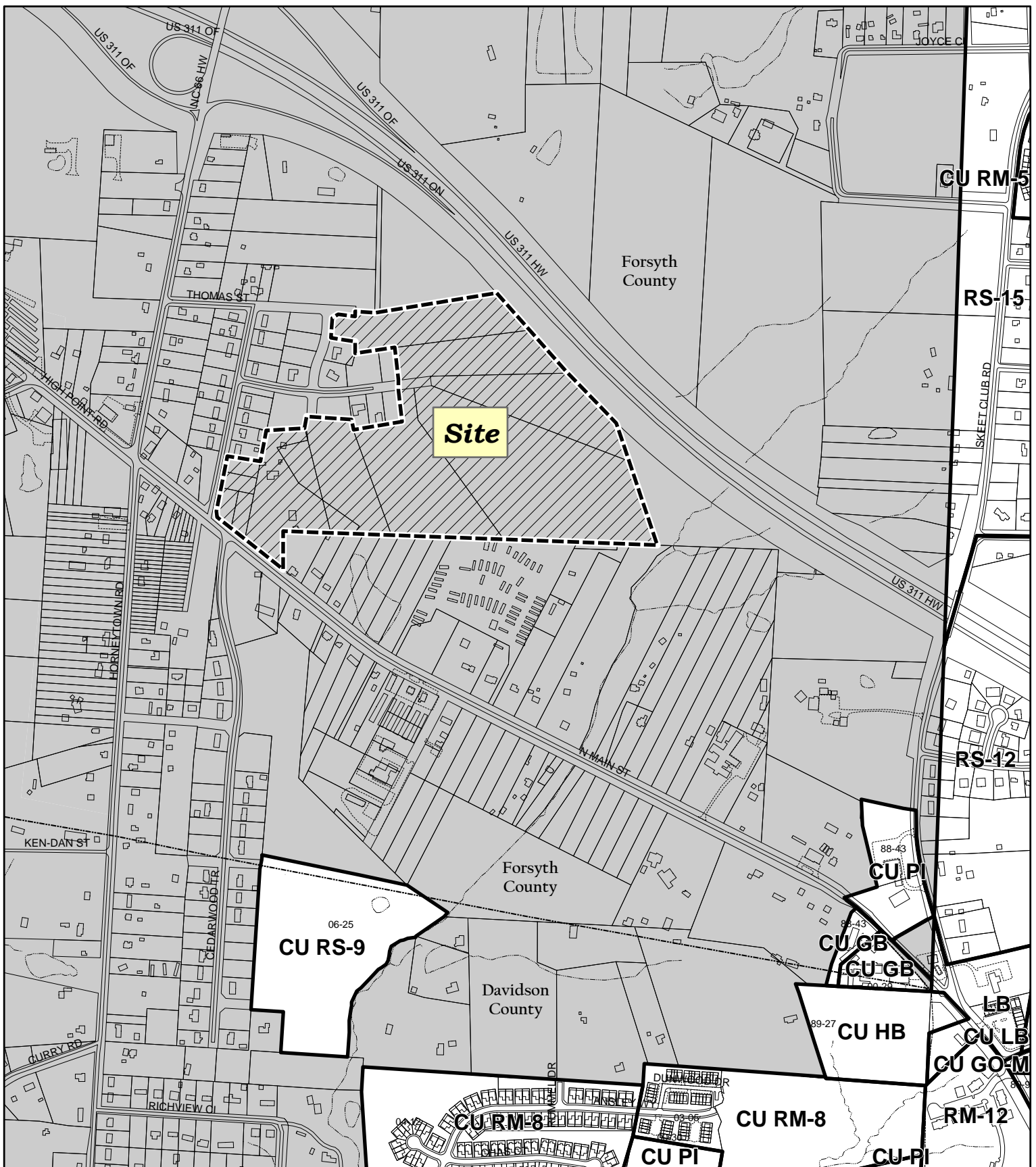
I, Verna O. McKinney, a Notary Public of said County and State, do hereby certify that William B. Scantlin and Catherine E. Scantlin personally came before me this day and acknowledged that they are the owners of real property described in the foregoing application.

WITNESS my hand and official seal, this the 23rd day of October, 20 07.


Notary Public

My commission expires: 10-5-11





REZONING CASE 07-29

From: Residential Single Family-20

To: Conditional Use Residential Single Family-7

Existing Zoning Boundary

Subject Property Boundary



**Department of Planning
and Development**

City of High Point

Date: September 7, 2007



Scale: 1"=800'

y:/ba-pz/2007/pz/z07-.mxd

PROPERTY OF
SCANTLIN
DEVELOPED BY
LANDCRAFT MANAGEMENT, LLC
NORTH MAIN STREET
CITY OF HIGH POINT
FORSYTH COUNTY, NORTH CAROLINA

DEVELOPER:
LANDCRAFT MANAGEMENT, LLC
603-F EASTCHESTER DRIVE
HIGH POINT, NC 27262
(336) 883-3902

AUGUST, 2007
JOB No. 2006164

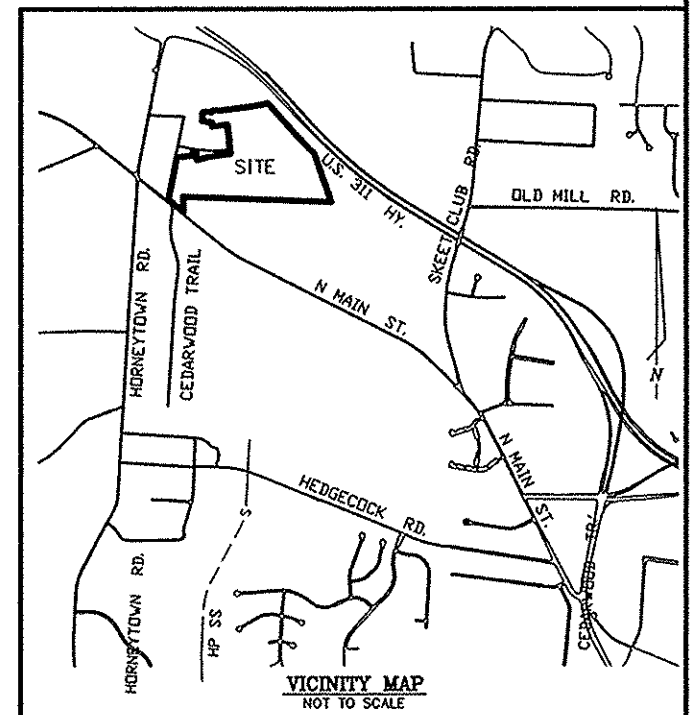
50' 0 100'


SCALE: 1" = 100'



SITE DATA_

- SITE DATA:
- AREA = 58.78 Ac.
 - 130 (SINGLE FAMILY)
 - ROAD LENGTH = 5650'±
 - AREA IN NEWLY DEDICATED RIGHT-OF-WAY = 6.53 AC.
 - EXISTING ZONING: RS-20
 - TAX PARCEL: BLOCK 5612A 001A LOTS 001B, 002A, 002B, 002F, 003C, 004, 005, 006A, 007
 - PROPOSED ZONING: CU RS-7
 - DISTURBED AREA: 39 AC.±



JAMESTOWN ENGINEERING GROUP, INC.
CONSULTING ENGINEERS
 117 E. MAIN STREET
P.O. BOX 365
JAMESTOWN, N.C. 27282
Telephone (336) 886-5523

SHEET NO. 1

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted The “City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on September 25, 2007 and before the City Council of the City of High Point on November 5, 2007 regarding **Zoning Case 07-29** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on September 16, 2007, for the Planning and Zoning Commission public hearing and on October 24 and October 31, 2007, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on November 5, 2007.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1. That the Official Zoning Map of the City of High Point, North Carolina, be amended to establish the following described area as: A **Conditional Use Residential Single Family-7 (CU RS-7) District**. The parcel is approximately 58 acres and lying north and northeast of the intersection of N. Main Street and Cedarwood Trail. The parcel is also known as Forsyth County Tax Parcel Map # 684826, Block # 5612-A, and Lots 1A, 1B, 2A, 2B, 2F, 3C, 4, 5A, 6A, 7, and 19 through 22.

SECTION 2. Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall become effective upon the date of adoption.

5th day of November 2007.

Lisa B. Vierling, City Clerk